

Hon'ble Irshad Hussain,J.

Heard Sri A.K Gautam learned counsel for the petitioner and Sri Sudhir Singh learned counsel for the respondent no.3

This is a petition under section 482 of the code of Criminal Procedure with a prayer to give direction to the respondent no. 2 to ensure the production of the documents required by the prosecution in connection with the proof of the charge against the accused-respondent no. 3. The documents were required to be sent in view of the application dated 18.8.2001 on which the learned CJM passed the order the same day. Learned counsel for the petitioner submitted that despite the order the compliance has not been made and the documents required for proof of the charge have not been sent by the Allahabad Bar Council of Uttar Pradesh.

It appear that the learned Magistrate has passed the necessary order as stated above so that the required documents may be sent by the Bar Council. If these documents have not yet been sent the learned Magistrate has had jurisdiction to pass an appropriate order to ensure the production of the documents required by the prosecution. Consequently, no specific direction need to be given by this court in that regard as the learned Magistrate is himself empowered to pass an appropriate order according to law. Considering this, the petition is misconceived and is hereby dismissed in limine.

(Irshad Hussain,J.)

Dated 19.5.2004

Rawat